

JMR/2015R00539

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAN 13 2016

UNITED STATES OF AMERICA : Criminal No. 16-

AT 8:30 _____ M
WILLIAM T. WALSH CLERK

v. :

16 - Nett

JOSE AMAYA-VASQUEZ : 18 U.S.C. §§ 1201(a)(1),
2261(a)(2) and (b)(3), 2312, and 2;
: 8 U.S.C. §§ 1326(a) and (b)(1)

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Camden,
charges:

COUNT 1
[18 U.S.C. § 1201 – Kidnapping]

The Defendant and Other Individuals

1. At all times relevant to this Indictment:

a. Defendant JOSE AMAYA-VASQUEZ was a native and citizen
of Honduras, who at various times resided in Kansas City, Missouri.

b. Victim #1 was a resident of Kansas City, Missouri.

Defendant JOSE AMAYA-VASQUEZ and Victim #1 were previously involved in
an intimate relationship and had a child together, Victim #2. Victim #1 owned
a 2008 Chevrolet Equinox, with a vehicle identification number ending in 7620
(hereinafter “Chevy Equinox”).

c. Victim #2 resided with Victim #1 in Kansas City, Missouri.

Victim #2 was under the age of 18.

The Defendant's Violence Toward Victim #1

2. On or about June 7, 2014, defendant JOSE AMAYA-VASQUEZ physically assaulted Victim #1 in Kansas City, Missouri and his romantic relationship with Victim #1 ended.

3. On or about July 4, 2014, defendant JOSE AMAYA-VASQUEZ left Kansas City, Missouri. Eventually, defendant AMAYA-VASQUEZ returned to the Kansas City area.

4. On or about February 14, 2015, defendant JOSE AMAYA-VASQUEZ sexually assaulted Victim #1 in Kansas City, Missouri.

5. On or about February 27, 2015, defendant JOSE AMAYA-VASQUEZ attempted to take Victim #1 to New York so that they could be a family again. Defendant AMAYA-VASQUEZ physically assaulted Victim #1 when Victim #1 refused to go with him.

6. On or about May 8, 2015, defendant JOSE AMAYA-VASQUEZ damaged Victim #1's car in Kansas City, Missouri.

7. On or about May 23, 2015, defendant JOSE AMAYA-VASQUEZ had physical custody of Victim #2 in Independence, Missouri. Defendant AMAYA-VASQUEZ threatened to harm Victim #2 if Victim #1 did not accompany him to New York. Defendant AMAYA-VASQUEZ directed Victim #1 to a vacant house in Kansas City, Missouri. Once at the house, defendant AMAYA-VASQUEZ raped Victim #1 at knife-point.

The Kidnapping

8. On or about May 24, 2015, defendant JOSE AMAYA-VASQUEZ put Victim #1 and Victim #2 into the Chevy Equinox and drove with them from Kansas City, Missouri stopping in the State of Ohio. While in Ohio, defendant AMAYA-VASQUEZ raped Victim #1.

9. On or about May 25, 2015, defendant JOSE AMAYA-VASQUEZ put Victim #1 and Victim #2 into the Chevy Equinox and drove them from Ohio to Bellmawr, New Jersey. While in Bellmawr, defendant AMAYA-VASQUEZ raped Victim #1.

10. From on or about May 24, 2015, in Kansas City, Missouri, in the Eastern District of Missouri, to on or about May 26, 2015, in Camden County, in the District of New Jersey, the defendant,

JOSE AMAYA-VASQUEZ,

did unlawfully seize, confine, inveigle, decoy, kidnap, abduct, and carry away Victim #1 and hold Victim #1 for ransom, reward and otherwise, including to physically assault, sexually assault and rape Victim #1 and so that Victim #1 and Victim #2 would have to live with defendant AMAYA-VASQUEZ, and in committing and in furtherance of the commission of the offense did willfully transport Victim #1 and Victim #2 in interstate commerce from the State of Missouri to the State of New Jersey.

In violation of Title 18, United States Code, Section 1201(a)(1), and Title 18, United States Code, Section 2.

COUNT 2
[18 U.S.C. § 2261 – Interstate Domestic Violence]

1. Paragraphs 1 through 9 of Count 1 of this Indictment are hereby re-alleged and incorporated as if set forth in full herein.

2. From on or about May 24, 2015, in Kansas City, Missouri, in the Eastern District of Missouri, to on or about May 26, 2015, in Camden County, in the District of New Jersey, the defendant,

JOSE AMAYA-VASQUEZ,

knowingly caused an intimate partner, namely Victim #1, to travel in interstate commerce by force, coercion, duress and fraud, and in the course of, and as a result of that conduct, did commit and attempt to commit a crime of violence against Victim #1, that is, kidnapping, physical assault and sexual assault, and during the offense used a dangerous weapon, a knife, and caused serious bodily injury to Victim #1.

In violation of Title 18, United States Code, Sections 2261(a)(2) and 2261 (b)(3), and Title 18, United States Code, Section 2.

COUNT 3
[18 U.S.C. § 2312 – Transportation of a Stolen Vehicle]

1. Paragraphs 1 through 9 of Count 1 of this Indictment are hereby re-alleged and incorporated as if set forth in full herein.

2. From on or about May 24, 2015, in Kansas City, Missouri, in the Eastern District of Missouri, to on or about May 26, 2015, in Camden County, in the District of New Jersey, the defendant,

JOSE AMAYA-VASQUEZ,

did unlawfully transport in interstate commerce a stolen motor vehicle, that is, the Chevy Equinox, from the State of Missouri to the State of Ohio and the State of New Jersey, knowing the same to be stolen.

In violation of Title 18, United States Code, Section 2312, and Title 18, United States Code, Section 2.

COUNT 4
[8 U.S.C. §§ 1326(a) and (b)(1) – Illegal Re-Entry into the United States]

1. Paragraphs 1 through 9 of Count 1 of this Indictment are hereby re-alleged and incorporated as if set forth in full herein.

2. On or about July 13, 2005, defendant JOSE AMAYA-VASQUEZ was ordered removed by an Immigration Judge.

3. On or about July 4, 2014, defendant JOSE AMAYA-VASQUEZ, an alien, was deported and removed and had departed the United States while an order of deportation and removal was outstanding.

4. Neither the Attorney General nor the Secretary of the Department of Homeland Security expressly consented to defendant JOSE AMAYA-VASQUEZ reapplying for admission into the United States prior to his reembarkation at a place outside the United States.

5. On or about May 26, 2015, and prior to that date, in the District of New Jersey and elsewhere, the defendant,

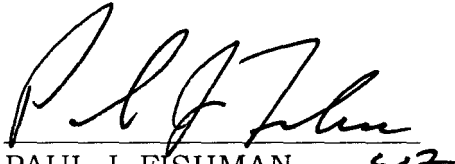
JOSE AMAYA-VASQUEZ,

did knowingly and willfully enter and was found in the United States without the express consent of the Attorney General and the Secretary of Homeland Security to AMAYA-VASQUEZ's reapplying for admission.

In violation of Title 8, United States Code, Sections 1326(a) and (b)(1).

A TRUE BILL 11

FOREPERSON


PAUL J. FISHMAN 67
United States Attorney

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District of New Jersey

UNITED STATES OF AMERICA

v.

JOSE AMAYA-VASQUEZ

INDICTMENT FOR
18 U.S.C. § 1201
18 U.S.C. § 2261
18 U.S.C. § 2312
8 U.S.C. § 1326
18 U.S.C. § 2

A True Bill,

Foreperson

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